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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/830,099	04/23/2004	Lambert Wixson	024478-00023	7522
4372 7590 08/20/2008 ARENT FOX LLP 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036			EXAMINER RAO, ANAND SHASHIKANT	
			ART UNIT 2621	PAPER NUMBER
			NOTIFICATION DATE 08/20/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DCIPDocket@arentfox.com  
IPMatters@arentfox.com  
Patent\_Mail@arentfox.com

### Office Action Summary

**Application No.**

10/830,099

**Applicant(s)**

WIXSON ET AL.

**Examiner**

Andy S. Rao

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 5/21/08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 and 20-56 is/are pending in the application.
- 4a) Of the above claim(s) 1-9, 24-29 and 36-56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-18, 20-23 and 30-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/888)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. As per the Applicant's instructions as filed on 5/21/08, claim 19 has been canceled.
2. Applicant's election without traverse of Group II corresponding to claims 10-18 and 20-23 and 30-35 as designated in the reply filed on 5/21/08 is acknowledged.

***Specification***

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(c) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 10-18 and 20-23 and 30-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Amini et al., (hereinafter referred to as "Amini").

Amini discloses a method for performing remote video audits (Amini: figures 7-8), the method comprising: creating an audit spreadsheet containing a plurality of audit items (Amini: column 14, lines 5-17); selecting at least one of the plurality of audit items (Amini: column 14, lines 15-20); obtaining video information regarding the selected audit item (Amini: column 14, lines 30-40); and entering a classification for the selected audit item based on reviewing the video information (Amini: column 9, lines 55-65), as in claim 10.

Regarding claim 11, Amini discloses wherein the classification is accompanied by a predefined note (Amini: column 10, lines 30-40), as in the claim.

Regarding claim 12 wherein the obtained video information is video stills (Amini: column 10, lines 20-25) obtained via a spreadsheet hyperlink (Amini: column 14, lines 5-18), as in the claim.

Regarding claim 13, Amini discloses wherein the obtained video information is video clips (Amini: column 12, lines 30-43) obtained via a spreadsheet hyperlink (Amini: column 14, lines 5-18), as in the claim.

Regarding claim 14, Amini discloses wherein the plurality of audit items is selected from a group (Amini: column 8, lines 60-67) consisting of location (Amini: column 14, lines 50-65),

time interval (Amini: column 14, lines 15-25), camera (Amini: column 15, lines 55-60), and device mapping to camera (Amini: column 17, lines 35-45), as in the claim.

Amini discloses a method for performing remote video audits (Amini: figures 7-8), the method comprising: selecting an audit item from an audit spreadsheet (Amini: column 14, lines 15-20); obtaining video information regarding the selected audit item (Amini: column 14, lines 30-40); and entering a classification for the selected audit item based on reviewing the video information (Amini: column 9, lines 55-65), as in claim 15.

Regarding claim 16, Amini discloses wherein the classification is accompanied by a predefined note (Amini: column 10, lines 30-40), as in the claim.

Regarding claim 17, Amini discloses wherein the video information comprises video stills (Amini: column 10, lines 20-25), as in the claim.

Regarding claim 18, Amini discloses wherein the video information comprises video clips (Amini: column 10, lines 20-25), as in the claim.

Regarding claim 20, Amini discloses a further comprising selecting a next audit item from the audit spreadsheet (Amini: column 13, lines 55-67), as in the claim.

Regarding claims 21-22, Amini discloses further comprising: generating a report, including information describing the at least one audit item and the classification (Amini: column 14, lines 55-67); and transmitting the report to at least one designated recipient (Amini: column 10, lines 25-40), as the claims.

Regarding claim 23, Amini discloses wherein the classification is selected from a group consisting of Pass or Fail (Amini: column 6, lines 10-35), Not Audited (Amini: column 5, lines

30-35: "Live"), Don't know (Amini: column 17, lines 45-55), and No Video (Amini: column 18, lines 25-35), as in the claim.

Amini discloses method for performing remote video guard tours (Amini: figures 7-8), the method comprising: selecting a guard tour from a list of available guard tours (Amini: column 14, lines 15-20); obtaining image information for a next stop on the selected guard tour; reviewing the image information (Amini: column 14, lines 30-40); and entering a classification for the guard tour stop based on the review (Amini: column 9, lines 55-65), as in the claim.

Regarding claim 31, Amini discloses wherein the classification is accompanied by a predefined note (Amini: column 10, lines 30-40), as in the claim.

Regarding claim 32, Amini discloses further selecting a next guard tour from the list of available guard tours (Amini: column 13, lines 55-67), as in the claim.

Regarding claims 33-34, Amini discloses further generating a report, including information describing the at least one guard tour and the classification (Amini: column 14, lines 55-67); and transmitting the report to at least one designated recipient (Amini: column 10, lines 25-40), as in the claims.

Regarding claim 35, Amini discloses wherein the classification is selected from a group consisting of Pass or Fail (Amini: column 6, lines 10-35), Not Audited (Amini: column 5, lines 30-35: "Live"), Don't know (Amini: column 17, lines 45-55), and No Video (Amini: column 18, lines 25-35), as in the claim.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Venetianer discloses a spurious object detection in a video surveillance system. Hill discloses a system and method for image monitoring.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andy S. Rao  
Primary Examiner  
Art Unit 2621

asr  
/Andy S. Rao/  
Primary Examiner, Art Unit 2621

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August 17, 2008